

MESSAGE NO: 4294207 MESSAGE DATE: 10/20/2004

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: SCO-Scope PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-827

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/29/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING SCOPE RULING ON CERTAIN CASED PENCILS FROM CHINA (A-570-827) "CRAYOLA THE WAVE" NOT WITHIN THE SCOPE. TERMINATE SUSPENSION AND LIQUIDATE

MESSAGE NO: 4294207

DATE: 10 20 2004

CATEGORY: ADA

TYPE: SCO

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 827

- -

- -

- -

- -

- -

PERIOD COVERED: 09 29 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: ANTIDUMPING SCOPE RULING ON CERTAIN CASED PENCILS FROM CHINA (A-570-827) "CRAYOLA THE WAVE" NOT WITHIN THE SCOPE. TERMINATE SUSPENSION AND LIQUIDATE

1. ON 09/29/2004, IN RESPONSE TO A REQUEST BY TARGET CORPORATION, THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT THE "CRAYOLA THE WAVE" (THE WAVE) IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN CASED PENCILS (PENCILS) FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) (A-570-827).

2. THE COMMERCE DEPARTMENT DETERMINED THAT THE WAVE IS NOT

WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PENCILS FROM THE PRC BECAUSE COLORED PENCILS INCLUDED IN THE WAVE WERE NOT PRODUCED IN CHINA AND THE TWISTABLES INCLUDED IN THE WAVE HAVE ESSENTIALLY THE SAME SALIENT PHYSICAL CHARACTERISTICS AS A PRODUCT FOUND OUTSIDE THE SCOPE OF THE ANTIDUMPING DUTY ORDER IN A PREVIOUS SCOPE RULING MADE BY THE COMMERCE DEPARTMENT. THEREFORE, THE WAVE IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PENCILS FROM THE PRC.

3. EFFECTIVE 09/29/2004, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF THE WAVE LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE WAVE LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PENCILS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PENCILS FROM THE PRC.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE

ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR  
(202) 482-3577 RESPECTIVELY. GENERATED BY O8: PMS

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party